

Message Text

UNCLASSIFIED POSS DUPE

PAGE 01 MEXICO 10305 252152Z

11

ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 SCA-01 L-03 H-02 EB-07 /024 W

----- 026856

R 242030Z NOV 75

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 1330

UNCLAS MEXICO 10305

EO 11652: NA

TAGS: CASC, MX

SUBJECT: STOLEN AND EMBEZZLED US PLANES

REF A. STATE 266568; B. MEXICO 9805

1. WHILE WE APPRECIATE LEGAL ADVICE AND PROCEDURAL INSTRUCTIONS CONTAINED REF A, EMBASSY WISHES REMIND DEPT THAT HILL AIRCRAFT AND LEASING, DESPITE WHAT THEY MAY SAY, HAVE MADE NO ATTEMPT THAT WE ARE AWARE OF TO INVOKE CONVENTION TO RECOVER AIRCRAFT. AS REPORTED REF B, MEXICO CITY ATTORNEY RABASSA, WITH WHOM EMBASSY TALKED, APPARENTLY NOT SUFFICIENTLY INFORMED ABOUT FACTS OF CASE TO INDICATE OR HAVE OPINION WHETHER PLANE SUSCEPTIBLE TO RECOVERY UNDER CONVENTION.

2. DEPT AGAIN REMINDED THAT EMBASSY INVOLVEMENT THIS CASE HAS BEEN EXTREMELY LIMITED AND HILL AIRCRAFT EFFORTS HAVE BEEN CONCENTRATED IN TORREON.

3. WHILE WE AGREE ONLY OWNER CAN MAKE DECISION WHETHER OR NOT APPLY UNDER CONVENTION, EMBASSY MUST DISAGREE WITH REF A CONCLUSION THAT NEITHER DEPT NOR EMBASSY CAN MAKE ANY DETERMINATION WHETHER PLANE SUSCEPTIBLE TO RECOVERY UNDER CONVENTION. WE FIND IT DIFFICULT TO BELIEVE THAT BEFORE INVOKING TREATY PROVISIONS IN NAME OF USG, DEPT OR EMBASSY MUST NOT BE REASONABLY SATISFIED THAT CASE COMES WITHIN CONVENTION. IS DEPT SUGGESTING THAT DESPITE WHATEVER THE FACTS MAY INDICATE, USG CAN BE FORCED BY OWNER TO INVOKE CONVENTION?

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 MEXICO 10305 252152Z

4. WE WISH TO ASSURE DEPT THAT EMBASSY DOES NOT

PERSIST IN MAKING SUCH JUDGEMENTS BEFORE RECEIPT OF ALL DOCUMENTS. IN FACT WE KNOW OF NO CASE IN WHICH SUCH A QUESTION HAS ARISEN. RATHER THAN DISCOURAGING OR THWARTING USE OF CONVENTION, WE ARE TRYING TO PUBLICIZE ITS EXISTENCE AND ENCOURAGE ITS USE, AS EMBASSY INITIATIVE IN SENDING LETTER TO POSSIBLE CLAIMANTS ATTEST. EMBASSY MADE REQUEST FOR DEPT VIEW RE APPLICABILITY CONVENTION BECAUSE NEITHER EMBASSY NOR HILL ATTORNEY RABASSA IN MEXICO CITY HAVE ENOUGH INFORMATION TO FORM AN OPINION.
CALDERHEAD

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 24 NOV 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975MEXICO10305
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750411-0417
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751116/aaaaanrl.tel
Line Count: 71
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 STATE 266568, 75 MEXICO 9805
Review Action: RELEASED, APPROVED
Review Authority: izenbei0
Review Comment: n/a
Review Content Flags:
Review Date: 17 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 SEP 2003 by ReddocGW>; APPROVED <29 JAN 2004 by izenbei0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: STOLEN AND EMBEZZLED US PLANES
TAGS: CASC, CPRS, MX, HILL AIRCRAFT
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006